



BOARD OF PUBLIC WORKS & SAFETY SEPTEMBER 22, 2005 AGENDA

Mayor Charles Henderson called the meeting to order at 6:00 p.m.

PRESENT:	Board members Mayor Henderson, Kevin Hoover; Clerk-Treasurer Jeannine Myers; and Director of Engineering Paul Peoni. The City Attorney and Board member Warren Beville was unable to attend.
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Mr. Hoover moved to approve the minutes of September 8th as presented. Second by the Mayor. Vote: Ayes.

Jay Alley, Land Development Manager for Portrait Homes, came forward regarding Meadows at Bainbridge, Section 5 Phase 1 to request acceptance of the Inspection & Testing Agreements – both for sanitary sewers and all improvements except sanitary sewers. Mike Diamente of Schneider Corporation was present to answer questions on the engineering of the project. This is their first Greenwood development; they currently have subdivisions in Indianapolis, Westfield, Avon, Fishers and Noblesville. The subject property is a condominium development with a total of 108 duplex units, said Mr. Alley, and is part of the larger Bainbridge Development near Worthsville Road and Sheek Road that Republic Development has begun. Mr. Alley indicated that as part of the overall site balancing program for the dirtwork at Bainbridge, Schneider Corporation developed a mass grading plan that incorporated a portion of the site they are purchasing from Republic Development. Staff has advised them, said Mr. Alley, that performance guarantees and Inspection & Testing Agreements are needed for all of their site activities to be approved for a land alteration permit. A pond must also be excavated so that the remaining area can be brought to proper elevation. Mr. Alley told the Board that he believes the minor Tech Committee comments have been addressed. They received revised performance guarantee figures from staff on September 12th, he noted. Earthwork and erosion control are their main concerns in the field indicated Mr. Alley; they would like to be able to take advantage of favorable fall weather. In response to Mr. Peoni, Mr. Alley stated that until two weeks ago they did not understand that the Eastside Interceptor was acceptable for connections. That had been a major impediment to them. Mr. Peoni explained that this is a similar project to The Reserve at Timbers Edge (another HPR project). It has rules separate from the Subdivision Control Ordinance and is to be treated like a commercial site plan. Mr. Peoni told the Board that to be treated the same as The Reserve, this project may have to post all performance guarantees and not just erosion control as for a typical subdivision, but he is not sure at this point that can be done. More research needs to be done by the City Attorney. Mr. Alley said that his corporate office is making preparations to get all the performance guarantees in place; staging would certainly be better. The Inspection & Testing agreements are on our form and acceptable. Mr. Hoover moved to:

- 1) Accept the Inspection & Testing Agreement for all improvements except sanitary sewers and ratify acceptance of the 50% upfront fee.
- 2) Accept the Inspection & Testing Agreement for sanitary sewers and ratify the acceptance of the 50% upfront fee.
- 3) Approve the performance guarantees and the issuance of a Land Alteration Permit, all subject to:
 - a) Final review and approval by the engineering and law departments as to the propriety of issuing that land alteration permit and the form and number of performance guarantees to be posted.

Second by Mayor Henderson. Vote: Ayes.

Meadows at Bainbridge, Section 5 Phase 2 had the same kind of request. Again, there is confusion on performance guarantees that may be required before a Land Alteration Permit is issued for this project. Staff is doing research so that this can be treated the same as The Reserve at Timbers Edge. The Inspection & Testing agreements are on our form and acceptable. Mr. Hoover again moved to:

- 1) Accept the Inspection & Testing Agreement for all improvements except sanitary sewers and ratify acceptance of the 50% upfront fee.

- 2) Accept the Inspection & Testing Agreement for sanitary sewers and ratify acceptance of the 50% upfront fee.
- 3) Approve the performance guarantees and the issuance of a Land Alteration Permit, all subject to:
 - a) Final review and approval by the engineering and law departments as to the propriety of issuing that land alteration permit and the form and number of performance guarantees to be posted.

Second by Mayor Henderson. Vote: Ayes.

Fred Leimberger of Precedent, for Homecoming at University Park, Section 5, asked for acceptance and execution of two plat-over drainage easements. Mr. Peoni confirmed that the legal descriptions and graphic exhibits had been reviewed and approved by the Engineering Department and the form had been approved by the Law Department. Mr. Hoover moved to:

- 1) Accept and execute two (2) plat-over drainage easements for Homecoming at University Park, Section 5.

Second by the Mayor. Vote: Ayes.

For Homecoming at University Park, Section 8, Mr. Leimberger brought a similar kind of request for plat-over easements. Mr. Peoni again stated that the legal descriptions and graphic exhibits had been reviewed and approved by his department and the form had been approved by the Law Department. Mr. Hoover moved to:

- 1) Accept and execute one (1) plat-over drainage easement for Homecoming at University Park, Section 8.
- 2) Accept and execute one (1) plat-over sanitary sewer easement for Homecoming at University Park, Section 8.

Second by Mayor Henderson. Vote: Ayes.

Mr. Leimberger, regarding The Trails at Woodfield, Section 3, asked for acceptance of improvements, acceptance of maintenance and performance bonds, execution of the final plat and acceptance of plat-over easements. Mr. Peoni indicated that all improvements being requested for acceptance appear to have been satisfactorily installed. The improvements and amounts shown on the bonds are correct; the bond form has been approved by the City Attorney. The 1/3 SAF fee, final sanitary sewer inspection fees and the 15 Year Law fee to Cobblestone have been paid. Minor revisions are needed on the plat. The Engineering Department has received acceptable mylar as-builts. The plat-over easements have been reviewed by engineering and prepared by law and are acceptable. Mr. Hoover then moved to:

- 1) Accept the sanitary sewers at The Trails at Woodfield, Section 3, subject to Keith Meier, Sanitation Superintendent, approval.
- 2) Accept three (3) year maintenance bond #5018011 in the amount of \$22,450.93 from Bond Safeguard Insurance Company for the sanitary sewers at The Trails at Woodfield, Section 3.
- 3) Accept the dirtwork and storm sewers at The Trails at Woodfield, Section 3.
- 4) Accept three (3) year maintenance bond #5018010 in the amount of \$60,879.18 from Bond Safeguard Insurance Company for the dirtwork and storm sewers at The Trails at Woodfield, Section 3.
- 5) Accept the stone base, bituminous base and bituminous binder, concrete curbs (streets) at The Trails at Woodfield, Section 3.
- 6) Accept three (3) year maintenance bond #104603631 in the amount of \$23,550.73 from St. Paul Fire and Marine Insurance Company for the stone base, bituminous base and bituminous binder (streets) at The Trails at Woodfield, Section 3.
- 7) Accept three (3) year maintenance bond #5018869 in the amount of \$8,969.40 from Bond Safeguard Insurance Company for the concrete curbs at The Trails at Woodfield, Section 3.
- 8) Accept performance bond #5018009 in the amount of \$16,231.88 from Bond Safeguard Insurance Company for the installation of the bituminous surface and tack coat at The Trails at Woodfield Section 3.
- 9) Accept performance bond #5018007 in the amount of \$4,188.80 from Bond Safeguard Insurance Company for the installation of the signs and monuments at The Trails at Woodfield, Section 3.
- 10) Accept performance bond #5018008 in the amount of \$48,061.20 from Bond Safeguard Insurance Company for the installation of the sidewalks at the Trails at Woodfield, Section 3.
- 11) Accept (1) one plat-over drainage easement and (1) one plat-over sanitary sewer easement at The Trails at Woodfield, Section 3.
- 12) Execute the final plat, all contingent upon:
 - a) Final payment of any Inspection & Testing fees (city), if applicable.

- b) Final review and approval of the plat by the Engineering Department and the Planning Department.

Second by Mayor Henderson. Vote: Ayes.

For Woodfield Estates, Mr. Leimberger again asked for acceptance of improvements, acceptance of maintenance and performance bonds and execution of the final plat. Mr. Peoni stated that all improvements being requested for acceptance appear to have been satisfactorily installed. The amounts and improvements shown on the bonds are correct; the bond form has been approved by the Law Department. The 1/3 SAF fee, final sanitary sewer inspection fees and the 15 Year Law fee to Cobblestone have been paid. Minor revisions are needed on the plat. Engineering has acceptable mylar as-builts. Mr. Hoover moved to:

- 1) Accept the sanitary sewers at Woodfield Estates, subject to Keith Meier, Sanitation Superintendent, approval.
- 2) Accept three (3) year maintenance bond #5018015 in the amount of \$5,045.13 from Bond Safeguard Insurance Company for the sanitary sewers at Woodfield Estates.
- 3) Accept the dirtwork and storm sewers at Woodfield Estates.
- 4) Accept three (3) year maintenance bond #5018014 in the amount of \$13,559 from Bond Safeguard Insurance Company for the dirtwork and storm sewers at Woodfield Estates.
- 5) Accept the stone base, bituminous base, bituminous binder, bituminous surface and tack coat (street improvements in the public right-of-way) at Woodfield Estates.
- 6) Accept three (3) year maintenance bond #104603632 in the amount of \$3,536.39 from St. Paul Fire and Marine Insurance Company for the stone base, bituminous base, bituminous binder, bituminous surface and tack coat (street improvements in the public right-of-way) at Woodfield Estates.
- 7) Accept performance bond #5018012 in the amount of \$453.20 from Bond Safeguard Insurance Company for the installation of the signs and monuments at Woodfield Estates.
- 8) Accept performance bond #5018013 in the amount of \$9,849.40 from Bond Safeguard Insurance Company for the installation of the sidewalks at Woodfield Estates.
- 9) Execute the final plat, all contingent upon:
 - a) Final payment of any Inspection & Testing fees (city), if applicable.
 - b) Final review and approval of the plat by the Engineering Department and the Planning Department.

Second by Mayor Henderson. Vote: Ayes.

Max Cooper of Projects Plus, on behalf of Greenwood Bible Baptist Church – Phase 2, requested acceptance of storm sewers and dirtwork and release of the related letter-of-credit. Mr. Peoni indicated that the private improvements of dirtwork and storm sewers appear to have been satisfactorily installed per the approved plans. He added that they are going to make a modification to how the roadway into the church site drains and flows into the pond. Mr. Hoover moved to:

- 1) Acknowledge that the private improvements of dirtwork and storm sewers have been installed in reasonable compliance with the approved design plans for Greenwood Bible Baptist Church – Phase 2.
- 2) Release performance letter of credit #420528 from Bank One in the amount of \$68,589 for the installation of the private improvements of dirtwork and storm sewers at Greenwood Bible Baptist Church – Phase 2, all subject to:
 - a) Final receipt of mylar as-builts by the Engineering Department.
 - b) Final payment of any Inspection & Testing fees (city), if applicable.

Second by the Mayor. Vote: Ayes.

Joe Meyer of KOE Engineering came forward for the Re/Max Select Real Estate Center to ask for acceptance of an on-site sanitary sewer easement. The legal description and graphic exhibit have been reviewed and approved by the Engineering Department and the form has been approved by the Law Department. Mr. Hoover moved to:

- 1) Accept and execute (1) on-site sanitary sewer easement.

Second by the Mayor. Vote: Ayes.

Next Jerry Kittle of Schneider Corporation, on behalf of Lauth Property Group, asked to be able to temporarily close Graham Road for a period of two days (October 11th and 12th) to allow for a sanitary sewer extension crossing for Southpoint Business Park 1. The project is on the east side of I-65, south of County Line Road. They plan to connect to the existing 48" Eastside Interceptor. Lauth Property Group has committed to repaving and improving Graham Road from in front of their site north up to County Line Road, mentioned Mr. Kittle. They will need to submit a detour route; schools and public safety officials

will be alerted. Mayor Henderson wondered about postponing work until teacher's institute (fall break). Mr. Hoover moved to grant the request to temporarily close Graham Road to allow for the open cut for the sanitary sewer extension and that the dates be selected which days would be least disruptive to schools, making sure emergency vehicles are notified, with an acceptable detour route in place, with the Director of Engineering to make the final call. Second by the Mayor. Mr. Peoni mentioned that flowable fill will have to be used; no stone will be allowed for the backfill. Vote: Ayes.

Code Enforcement Officer John Myers reported that the complaints at:

215 N. Meridian Street

612 Smith Valley Road

278 Weber Way

807 West Orchard Lane

have all been abated.

Concerning 580 E. Broadway, Mr. Myers reported there had been an anonymous complaint that a male subject had moved into the area. An old junk refrigerator has been at curbside for several months. Mr. Myers made an inspection, which revealed high grass and weeds along the fence row, overhanging tree limbs obstructing a stop sign and the refrigerator. On 9/07 a certified letter was sent to Stanley and Lisa Schrum to appear at today's meeting. A return receipt was received on 9/13. Mr. Myers told the Board that there is now a dispute with the neighbor after Mr. Schrum cut down the vines and weeds from the privacy fence, as they fell onto the neighbor's side of the fence. From the audience, Ms. Schrum was invited to speak. She understood that there was to be an easement behind the garage, which is not there; she told the Board that she had cleaned up the weeds. She said the privacy fence belongs to the rental property. A utility employee had informed the Schrums that the garage extends into the easement. Mr. Myers told the Board that as far as he was concerned the issue was over, but the Schrums wanted to come before the Board. The issue now is who is to take care of the weeds that grow between the fences. There was more conversation about the location of their son's basketball goal. The Mayor cited the ordinance that prohibits using a street as a basketball court. After discussion, the Mayor told the Schrums that they do need to find out the location of their property line to see if the neighboring lot is intruding. Mr. Myers returned to discussing the basketball goal. Mr. Schrum assured the Board he will move it. They will get the location of their property line and work with Mr. Myers.

As to 555 Northgate, Mr. Myers reported that on 9/09 he received a complaint from Dale Cannon of high grass. On 9/12 Code Enforcement sent a certified letter to Brian Stewart. An inspection on 9/20 showed the property is still in violation. The City has had to mow previously at this site. Mr. Hoover moved to find that a nuisance exists at 555 Northgate Drive because of the high grass and weeds and trash on the property, to direct the City Attorney to issue a Letter of Abatement giving seven days to abate the problem, failing that that she use resources available to her to remedy the situation and charge against the homeowner, including foreclosing a lien of our costs. Second by the Mayor. Vote: Ayes.

From the audience, Pastor Steve Rhoades of the Church of the Nazarene (Harvest Point at Greenwood) came forward to request acceptance of a reduced performance Certificate of Deposit (CD) for the installation of private improvements on their site. Mr. Peoni reported that the private dirtwork and storm sewers have been completed. A field inspection of the dirtwork and storm sewer only produced a punch list of minor items to be addressed. The punch list will be prepared and presented to the developer as soon as possible. No other improvements have been inspected. The City has received acceptable paper as-builts for the dirtwork and storm sewers. Mr. Hoover moved to:

- 1) Acknowledge that the private improvements of dirtwork and storm sewers at the Harvest Point site, except for the punch list items of minor swale work and parking lot pavement to assure proper drainage of the site, have been installed in reasonable compliance with the approved design plans.
- 2) Accept a reduced performance (CD) in the amount of \$50,000 for the installation of the punch list items of minor swale work and parking lot improvement, erosion control, sanitary sewers, street improvements in the public right-of-way and traffic control signs at the Harvest Point site.
- 3) Release performance CD #9560085786 in the amount of \$191,326.14 from National City Bank for the installation of the dirtwork, storm sewers, erosion control, sanitary sewers, street improvements, signs & monuments at the Harvest Point site, all subject to:
 - a. Receipt of final mylar as-builts by the Engineering Department with the understanding that once the punch list items are addressed, new modified as-builts will need to be provided by the developer to assure overall compliance with the approved design plans.
 - b. Receipt of the ORIGINAL CD stated in #2 above – to be coordinated with the Clerk-Treasurer.

Second by Mayor Henderson. Vote: Ayes.

For Greenwood Springs, Block 3, Joe Meyer came forward to discuss the legal drain that lies on the Alpine property. They are in the process of getting an easement from Alpine to the City of Greenwood, as required by the Johnson County Drainage Board. The City Attorney has prepared the Drainage Easement and negotiations are ongoing with the Drainage Board as to acceptable language. That Board meets two days before the next Board of Public Works and Safety Meeting. A copy of the proposed language was given to the Board for their consideration. After more discussion, Mr. Hoover moved to approve the Restated Drainage and Utility Easement for Greenwood Springs, Block 3, with the final language to be negotiated by the City Attorney, subject to the Mayor's final approval and signature. Second by the Mayor. Vote: Ayes.

Next Sanitation Superintendent Keith Meier brought Change Order #4 on the Eastside Interceptor Project, Phase IIB. This is for the Hurricane Creek Lift Station, in the amount of \$5,497 and an additional \$1,000 to correct a mathematical error in Change Order #3. The total change order is \$6,497, which brings the total contract price with Bowen Engineering to \$4,277,136. Mr. Hoover moved to approve the Change Order as requested and authorize the Mayor to sign on the Board's behalf. Second by the Mayor. Vote: Ayes.

Mr. Meier reported that on September 13th they opened a bid on the television inspection system from CUES Industries. The bid was \$99,250. Mr. Meier indicated that the paperwork is in order and the City Attorney checked the legals. This is in the budget. On his recommendation, Mr. Hoover moved to find that the bid from CUES Industries for the television inspection system is the only responsive, responsible bid and to accept that bid. Second by the Mayor. Vote: Ayes.

Human Resources Director Bill Jackson brought six job descriptions for the Board's consideration: a new position in Sanitation Billing (Customer Accounts Specialist Entry Level) – with half to be charged against the Fire Department, a change in the Building Services Foreman description, Technician II Field Services Inspection Supervisor, Secretary/ Records Clerk in Planning, School Resource Officer from the Police Department, and Administrative Assistant for Fleet Maintenance who works for the three DPW departments. At Mr. Jackson's recommendation, Mr. Hoover moved to adopt the six position descriptions as discussed. Second by the Mayor. Vote: Ayes.

The next consideration was Resolution No. 05-04, establishing personnel policies for City departments and employees. Mr. Jackson said that this resolution was necessary before adoption of the new handbook, which is complete. Mayor Henderson discussed specific suggestions, for example written resignations, solicitation issues, etc. In response to Mr. Hoover, Mr. Jackson agreed that the departments of the Clerk-Treasurer and the City Judge were exempt, because those are separate elected officials. The City Attorney had agreed with this, noted the Mayor. Mr. Hoover moved to adopt BOW Resolution No. 05-04, Establishing Personnel Policies for City Departments and Employees, as presented. Second by the Mayor. Vote: Ayes. Mr. Jackson reported that the handbook would be ready for approval at the next Board meeting.

On his Status of Tasks, Mr. Peoni first discussed Greenwood Station, Section 1A. The developer had already posted a performance bond for erosion control and wishes to change the guarantee to a Letter-of-Credit (LOC). The new LOC has been approved by both the Engineering and Law departments. Mr. Hoover moved to:

- 1) Accept performance LOC #MSS-015-05 from Caden Financial Corporation in the amount of \$55,357.45 for the installation of the erosion control at Greenwood Station, Section 1A.
- 2) Release performance bond #104015812 from Travelers Casualty and Surety Company of America in the amount of \$55,357.45 for the installation of the erosion control at Greenwood Station, Section 1A.

Second by the Mayor. Vote: Ayes.

Mr. Peoni indicated that Greenwood Station, Section 2 had an identical request to Section 1A – wanting to change the form of their performance guarantee from a performance bond to a Letter-of-Credit (LOC). Mr. Hoover moved to:

- 1) Accept performance LOC #MSS-016-05 from Caden Financial Corporation in the amount of \$80,248.63 for the installation of the erosion control at Greenwood Station, Section 2.
- 2) Release performance bond #104015813 from Travelers Casualty and Surety Company of America in the amount of \$80,248.63 for the installation of the erosion control at Greenwood Station, Section 2.

Second by the Mayor. Vote: Ayes.

Last Mr. Peoni mentioned the discussion involving Honey Creek Road near Woodfield Subdivision, with the developer Precedent. Honey Creek Road, he said, is a more heavily traveled road than Demaree Road is. Demaree is at the south end of their project, and Precedent will have an entrance off of that road. Mr. Peoni, during conversations with the Director of Operations, understands that they have agreed to improve Honey Creek Road at this point in time, with Demaree Road improvements being completed during the construction of Section 3. Mr. Peoni understands also that Tuscany Village, north of Woodfield, should begin their improvements on Honey Creek Road within the next few weeks. If Precedent can do this, then Honey Creek Road from Barrington almost to Demaree Road could be completed by the end of the year. Mayor Henderson moved to allow this schedule to be worked out by the Director of Operations working with Precedent. Second by Mr. Hoover. Vote: Ayes.

Mr. Hoover moved to approve the claims as presented through September 22nd. Second by Mayor Henderson. Vote: Ayes.

Mayor Henderson reported that the Common Council passed Monday an additional appropriation for a special census. The Director of Planning had requested that payment in the amount of \$129,426 be approved by the Board of Works, and that check issued as soon as all approvals are completed by the State. Payment will come from BOW 339. Mr. Hoover moved to approve payment to the Census Bureau as described. Second by the Mayor. Vote: Ayes.

Greenwood Radio Cab had requested a rate hike from the Common Council, said the Mayor. Councilman Gibson had indicated the last rate increase was nearly 18 years ago and recommended the increase. Mr. Hoover moved to recommend the rate increase for Radio Cab to the Common Council. Second by the Mayor. Vote: Ayes.

With no further business, the meeting adjourned at 7:20 p.m.